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10 Attorneys for Linda Livolsi

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LINDA LIVOLSI,

Defendant.

2:10-CR-00578-APG-GWF

**EMERGENCY MOTION TO EXTEND  
SELF-SURRENDER DATE**

(Expedited Treatment Requested)

COMES NOW Rene L. Valladares, Federal Public Defender, and Monique Kirtley, Assistant Federal Public Defender, counsel for LINDA LIVOLSI, files this Motion to Extend Ms. Livolsi's self-surrender date to the Bureau of Prisons from August 21, 2015 to January 25, 2016, for the following reasons:

1. On August 11, 2014, Ms. Livolsi pleaded guilty to one count of Wire Fraud (count two), in violation of 18 U.S.C. § 1343 and one count of False and Fraudulent Tax Return (count four), in violation of 26 U.S.C. § 7206(1). She was sentenced on April 28, 2015, to forty-five months for the wire fraud violation and thirty-six months for the fraudulent tax return violation, each to run concurrent, and three (3) years of supervised release to follow. This Court ordered Ms. Livolsi to self-surrender by noon on July 24, 2015. CR #205. On July 21, 2015, undersigned counsel filed an Emergency Motion to Extend Ms. Livolsi's Self Surrender date. CR #213. On July 22, 2015 the Court granted Ms. Livolsi's motion and extended her self surrender date to August 21, 2015.

2. Ms. Livolsi now seeks a second extension of her self surrender date. On August 11, 2015, undersigned counsel received an email from Ms. Livolsi regarding her most recent medical

1 conditions. Ms. Livolsi has informed undersigned counsel that her health is getting worse. She has  
2 been referred and is currently scheduled to see a urologist on October 2, 2015. She is also been  
3 referred to see a cardiologist.

4 Ms. Livolsi current and pending medical appointments have been scheduled due to severe  
5 swelling and fluctuating weight gain. *See Exhibit A: Photographs of Ms. Livolsi.* Ms. Livolsi  
6 further relates that she is gaining 30-50 pounds a week and 10-15 pounds per day. Ms. Livolsi has  
7 been experiencing extreme swelling for the last three weeks and has gained approximately 30 to 40  
8 pounds. Ms. Livolsi explained that one of her physicians told her that one of her medical tests  
9 indicated high pressure in one of the valves in her heart and that could be causing the swelling. Ms.  
10 Livolsi has been advised that she will have to undergo further testing to determine what is actually  
11 causing the swelling and what treatment will be needed to correct the problem. Ms. Livolsi informed  
12 undersigned counsel that it has been taking between two to four months for her doctors to figure out  
13 what is wrong with her and what treatment has and has not worked.

14 3. In addition to her medical conditions, Ms. Livolsi informed undersigned counsel, that  
15 she and Mr. Livolsi have met with an attorney regarding the auctioning of her house. Ms.. Livolsi  
16 and her husband are working on filing bankruptcy. Ms. Livolsi informed undersigned counsel that  
17 she will have to be present for a trustee meeting and eventual hearing on her house.

18 4. The government opposes Ms. Livolsi's request to extend her self-surrender date.

19 5. Ms. Livolsi specifically requests an extension of her self surrender date to January  
20 24, 2015.

21 6. This is the second request to extend the self-surrender date.

22 DATED this 12th day of August, 2015.

23 RENE L. VALLADARES  
24 Federal Public Defender

25 By: /s/ Monique Kirtley  
26 MONIQUE KIRTLEY,  
27 Assistant Federal Public Defender

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1                   **CERTIFICATE OF ELECTRONIC SERVICE**

2                   The undersigned hereby certifies that she is an employee of the Federal Public Defender for  
3 the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

4                   That on August 12, 2015, she served an electronic copy of the above and foregoing  
5 **EMERGENCY MOTION TO EXTEND SELF-SURRENDER DATE**(Expedited Treatment  
6 Requested), by electronic mail to all parties of record including the persons named below:

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8                   DANIEL G. BOGDEN  
9                   United States Attorney  
10                  J. GREGORY DAMM  
11                  Assistant United States Attorney  
12                  333 Las Vegas Blvd. So., 5<sup>th</sup> Floor  
13                  Las Vegas, Nevada 89101

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15                  /s/ Nancy Vasquez, Legal Secretary  
16                  Employee of the Federal Public Defender